

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	ZARS, INC.	)	
Serial No.:	09/954,904	)	
Filed:	September 18, 2002	)	TERMINAL DISCLAIMER
Title:	METHODS AND APPARATUS FOR IMPROVED ADMINISTRATION OF ANALGESICS	) ) )	
Examiner:	Konata M. George – Art Unit 1616	)	

#### MAIL STOP - NO FEE AMENDMENT

Commissioner for Patents Post Office Box 1450 Alexandria, Virginia 22313-1450

### TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321(C)

38/12/2000 Dear Sir:

01 FC:2814

North, Suite 320, Salt Lake City, Utah 84103, by and through Michael F. Krieger, its attorney of record, states that it is the assignee of the entire right, title, and interest in and to the patent application identified above by virtue of an assignment from the inventor. The assignment was recorded in the United States Patent and Trademark Office at Reel 012497, Frame 0200.

Pursuant to 37 C.F.R. § 1.321(c), Owner hereby disclaims, except as provided below, the terminal part of any patent granted on the above-identified application, which would extend

beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer of United States Patent No. 6,284,266, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 6,284,266, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the aboveidentified application that would extend to the full statutory term as presently shortened by any terminal disclaimer of United States Patent No. 6,284,266 in the event that any said issued patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

DATED this 2 day of Moy , 2003.

Respectfully submitted,

TON & MCCONKIE

Attorney for Applicant

Registration No. 35,232

KIRTON & MCCONKIE

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CLJ:lah / #685028 v1 - 02/26/03 Terminal Disclaimer

MARCH 20, 2002

KIRTON & MCCONKIE MICHAEL F. KRIEGER 1800 EAGLE GATE TOWER 60 EAST SOUTH TEMPLE STREET SALT LAKE CITY, UTAH 84111 Chief Information Officer Washington, DC 20231 www.uspto.gov



UNITED STATES PATENT AND TRADEMARK OFFICE NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

**PTAS** 

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 01/22/2002

REEL/FRAME: 012497/0200

NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

ZHANG, JIE

DOC DATE: 12/14/2001

ASSIGNOR:

ZHANG, HAO

DOC DATE: 12/14/2001

ASSIGNEE:

ZARS, INC.

350 WEST 800 NORTH

SUITE 320

SALT LAKE CITY, UTAH 84103

SERIAL NUMBER: 09954904

PAULA MCCRAY, EXAMINER ASSIGNMENT DIVISION OFFICE OF PUBLIC RECORDS

PATENT NUMBER:

FILING DATE: 09/18/2001

ISSUE DATE:

### RECEIVED

MAR 27 2002

KIRTON & McCONKIE

DOCKETING:	3/27/02	
RESPONSE DU	E: N/A	

## Assignment of Rights, Title and Interest in Invention (Multiple inventors; single assignee)

Docket No. 8747.82

This is an Assignment of the following rights	s, title and interest: (check all that apply):
United States of America right	ts, title and interest in the invention
Foreign rights, title and intere	st in the invention
United States Patent Application	on Serial No. 09/954,904
Date of Execution:	Date of Filing: September 18, 2001
United States Provisional Pate	ent Application Serial No.
United States Patent No(s).	
☐ International (PCT) Patent Ap	oplication Serial No.
Other (specify)	
itle of the Invention	
METHODS AND APPARATUS FOR IMPRO	OVED ADMINISTRATION OF ANALGESICS
nventors (assignors)	
<u> </u>	
Name	Address  6222 Lorroon Drive Selt Lake City Liber 84121
Jie Zhang	6232 Lorreen Drive, Salt Lake City, Utah 84121
Hao Zhang	538 East Woodpine Circle, Midvale, Utah 84047
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<u></u>	
Assignee	
Name	Address
Zars, Inc.	350 West 800 North, Suite 320 Salt Lake City, Utah 84103

## Assignment of Rights, Title and Interest in Invention (Multiple inventors; single assignee)

Docket No. 8747.82

Whereas, we, the above-identified Inventors, have invented certain new and useful improvements in the Invention identified above and described in the above-identified patent application(s) and/or patent(s) (hereinafter referred to as "Invention");

And, whereas we desire to assign our above-identified rights, title and interest in the Invention to the above-identified Assignee;

Now, this indenture witnesseth, that for good and valuable consideration, the receipt whereof is hereby acknowledged;

We hereby assign, sell and transfer our above-identified rights, title and interest in said Invention, said application(s) as identified above, including any divisions, continuations, and continuations-in-part thereof, and in and to any and all Letters Patent of the United States, and countries foreign thereto, which may be granted or have granted for said Invention, and in and to any and all reissues and reexaminations thereof, and in and to any and all priority rights, Convention rights, and other benefits accruing or to accrue to us with respect to the filing of applications for patents or securing of patents in the United States and countries foreign thereto, unto said Assignee;

And we hereby authorize and request the Commissioner of Patents and Trademarks to issue any United States Letters Patent which may issue for said Invention to said Assignee, as assignee of the whole right, title and interest thereto;

And we further agree to sign and execute all necessary and lawful future documents, including applications for foreign patents, for filing divisions, continuations and continuations-in-part of said application for patent, and/or, for obtaining any reissue or reissues of any Letters Patent which may be granted for my aforesaid Invention, as the Assignee or its Designee(s) may from time to time require and prepare at its own expense.

Inventors' Signatures (if Notarization is desired, do not sign here and proceed to next page)

Name	Signature/Date
Jie Zhang	Tiests 12-14-2001
Hao Zhang	Jiests 12-14-2001

# Assignment of Rights, Title and Interest in Invention (Multiple inventors; single assignee)

Docket No. 8747.82

Executed this	day of	November ,	in the year 2001		
at Salt Lake City, Utah					
See .					
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Cara of Illah	<i>‡</i>		(Sig	gnature of Inventor)	
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County of Salt Lake					
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Before me personally appear	ed Jie Zhang			(4)	
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County of Salt Lake			•		
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